

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 3, 2003

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JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 3, 2003

The Senate met in regular session at 1:02 p.m., President Pro Tempore Angelo presiding.

Prayer was offered by 2002 Miss Iowa Stephanie Moore. Miss Moore sang "God Bless America." She was the guest of Senator Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Legislative Service Bureau Page Emily Nieman.

The Journal of Thursday, February 27, 2003, was approved.

BILL REREFERRED TO COMMITTEE

Senator Houser asked and received unanimous consent that [Senate File 104](#) be rereferred from the Regular Calendar to the committee on **Appropriations**.

ADJOURNMENT

On motion of Senator Houser, the Senate adjourned at 1:08 p.m. until 8:30 a.m. Tuesday, March 4, 2003.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Kyle Robert Kehrli, Winthrop — For achieving the rank of Eagle Scout, Boy Scout Troop 104. Senator Rehberg (3/3/03).

REPORT OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

Convened: February 27, 2003, 3:05 p.m.

Members Present: Behn, Vice Chair; Dotzler, Ranking Member; Putney and Quirmbach.

Members Absent: McKinley, Chair (excused).

Committee Business: Presentation on the New Iowans program.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: February 27, 2003, 3:05 p.m.

Members Present: Tinsman, Chair; Johnson, Vice Chair; Hatch, Ranking Member; Bolkcom and Veenstra.

Members Absent: None.

Committee Business: Presentation by Outcomes Pharmaceutical Health Care regarding pharmaceutical program effectiveness.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 27, 2003, 3:05 p.m.

Members Present: Miller, Chair; Angelo, Vice Chair; Hosch and Kreiman.

Members Absent: Fraise, Ranking Member (excused).

Committee Business: Presentation on the InnerChange Freedom Initiative program.

Adjourned: 4:05 p.m.

RULES AND ADMINISTRATION

Convened: March 3, 2003, 2:35 p.m.

Members Present: Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, Ragan, and Sievers.

Members Absent: None.

Committee Business: Approved [SR 19](#).

Adjourned: 2:40 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 19](#), by McKibben, a resolution honoring the City of Marshalltown on its sesquicentennial year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

[Senate Resolution 20](#), by Houser, a resolution honoring the City of Clarinda on its sesquicentennial year.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 236](#), by committee on Commerce, a bill for an act relating to the time periods that unclaimed demutualization proceeds and wages are presumed to be abandoned and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 237](#), by committee on Natural Resources and Environment, a bill for an act relating to fees charged to certain private water supply contractors, establishing a private water supply system account within the water quality protection fund, and appropriating moneys in the account.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 238](#), by committee on Natural Resources and Environment, a bill for an act providing that revenues deposited in the state conservation fund are temporarily exempt from reversion and providing an effective date.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 239](#), by Kibbie, a bill for an act prohibiting the publication of false or misleading information related to political candidates, requiring development of a statement of voluntary fair campaign practices, and applying a penalty.

Read first time under Rule 28 and referred to committee on **State Government.**

[Senate File 240](#), by Johnson, a bill for an act relating to an annual appropriation of sales and use tax revenues for purposes of a tourism fund.

Read first time under Rule 28 and referred to committee on **Appropriations.**

[Senate File 241](#), by Black, Kibbie, and Drake, a bill for an act expanding the military service tax credit to include those currently serving in the armed forces of the United States.

Read first time under Rule 28 and referred to committee on **Ways and Means.**

[Senate File 242](#), by Kettering, Rehberg, Zieman, Shull, Johnson, Drake, Stewart, and Gaskill, a bill for an act relating to the imposition of a revenue nondistribution tax on certain credit unions and including an applicability date provision.

Read first time under Rule 28 and referred to committee on **Commerce.**

[Senate File 243](#), by Connolly, a bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including substance abuse treatment services.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 244](#), by Bolkcom and Dvorsky, a bill for an act relating to the provision of a statewide dual party relay telephone service.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 245](#), by Connolly, a bill for an act relating to telephone solicitations, including establishing certain restrictions on telephone solicitors, providing for registration for persons choosing not to receive certain telephone solicitations, requiring consumer notification of rights, and providing penalties and remedies.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 246](#), by Warnstadt, Dotzler, Kreiman, Courtney, Seng, Ragan, Black, Bolkcom, Gronstal, Connolly, Dvorsky, Stewart, Beall, Quirnbach, Fraise, Dearden, Hatch, and Holveck, a bill for an act exempting from state individual income tax any death benefits received as a result of the death of a member of the armed forces in or as a result of a terroristic or military action and including an effective and retroactive applicability date provision.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 247](#), by Brunkhorst, a bill for an act relating to autopsies by restricting the performance of an autopsy for certain deaths unless the county medical examiner determines the public interest is affected and providing for financial responsibility for certain autopsies requested by a private individual.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 248](#), by Fraise, McKibben, Putney, Courtney, Kibbie, Gaskill, and Kettering, a bill for an act regulating farm deer, providing for penalties, and providing an effective date.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 249](#), by Rehberg, a bill for an act relating to assessment of court costs in an appeal to district court of a condemnation award.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 250](#), by Rehberg, a bill for an act relating to payment of court costs for appeals of certain condemnation awards.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 251](#), by Bolkcom, a bill for an act relating to the reimbursement of home and community-based waiver services.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 252](#), by Bolkcom, a bill for an act relating to credit counseling services for delayed deposit services customers and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 253](#), by Bolkcom and Dvorsky, a bill for an act providing accessibility standards for certain public housing buildings.

Read first time under Rule 28 and referred to committee on **Commerce**.

STUDY BILLS RECEIVED

SSB 1120 Human Resources

Relating to requirements related to marriage and dissolution of marriage.

SSB 1121 State Government

Relating to elections and voter registration by providing for nonpartisan election of township offices, allowing nomination petitions to be signed on both sides of paper, removing the requirement that judges' names be rotated on certain ballots, removing certain authority to sign voter registration forms on behalf of the registrant, relating to the use of substitute precinct election officials, relating to use of voting machine or paper ballots at certain elections, modifying opening hours and closing hours of the polls at certain elections, providing for destruction of certain ballots, relating to the abstract of votes for county offices, providing for use of certain voting machines at satellite absentee voting stations, relating to observers present when ballots are counted, allowing absentee voting at the commissioner's office for certain elections, and relating to persons nominated for city office by write-in votes.

SSB 1122 Transportation

Relating to the deposit and use of moneys received by cities and counties for assumption of jurisdiction of primary roads and providing effective and retroactive applicability dates.

SSB 1123 Commerce

Relating to cemeteries and cemetery regulation; establishing requirements for interment rights agreements, reporting, and permits; establishing and appropriating fees; and providing administration and enforcement procedures and penalties.

SSB 1124 Commerce

Relating to a premium tax offset for the Iowa individual health reinsurance association, and phasing-in a standing appropriation for

replacement of the individual health reinsurance association assessments upon political subdivisions and school corporations.

SSB 1125 **Natural Resources and Environment**

Relating to the sale of wine produced by native wineries in this state.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 8

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate Resolution 19

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate File 198

EDUCATION: Boettger, Chair; Connolly and McKinley

Senate File 205

EDUCATION: Behn, Chair; Kreiman and Redfern

Senate File 207

EDUCATION: Boettger, Chair; Dvorsky and Redfern

Senate File 208

EDUCATION: Boettger, Chair; Holveck and McKinley

Senate File 209

LOCAL GOVERNMENT: Rehberg, Chair; Kreiman and Miller

Senate File 212

EDUCATION: Boettger, Chair; Kreiman and McKinley

Senate File 213

BUSINESS AND LABOR RELATIONS: Schuerer, Chair; Dearden and McKibben

Senate File 214

BUSINESS AND LABOR RELATIONS: Schuerer, Chair; Dearden and McKibben

[Senate File 227](#)

COMMERCE: Angelo, Chair; Warnstadt and Wieck

[Senate File 228](#)

STATE GOVERNMENT: Tinsman, Chair; Johnson and Ragan

[Senate File 229](#)

STATE GOVERNMENT: Drake, Chair; Connolly and Lamberti

[Senate File 231](#)

EDUCATION: Boettger, Chair; Connolly and McKinley

[Senate File 232](#)

COMMERCE: Angelo, Chair; Warnstadt and Wieck

[Senate File 233](#)

HUMAN RESOURCES: Boettger, Chair; Hosch and Ragan

[Senate File 234](#)

HUMAN RESOURCES: Veenstra, Chair; Hatch and Seymour

[SSB 1120](#)

HUMAN RESOURCES: Veenstra, Chair; Ragan and Schuerer

[SSB 1121](#)

STATE GOVERNMENT: Veenstra, Chair; Kibbie and Tinsman

[SSB 1122](#)

TRANSPORTATION: Putney, Chair; Beall and Kettering

[SSB 1123](#)

COMMERCE: Beall, Chair; Schuerer and Sievers

[SSB 1124](#)

COMMERCE: Brunkhorst, Chair; Warnstadt and Wieck

[SSB 1125](#)

NATURAL RESOURCES AND ENVIRONMENT: Wieck, Chair; Bolkcom and Houser

COMMITTEE REPORTS

COMMERCE

Final Bill Action: *[SENATE FILE 236 \(SSB 1018\)](#), a bill for an act relating to the time periods that unclaimed demutualization proceeds and wages are presumed to be abandoned and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Angelo, Wieck, Warnstadt, Beall, Behn, Bolkcom, Brunkhorst, Kettering, Larson, McCoy, Schuerer, Sievers, and Stewart. Nays, none. Absent, 2: Gronstal and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Commerce Committee on [Senate File 236](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Final Bill Action: [SENATE FILE 237 \(SSB 1081\)](#), a bill for an act relating to fees charged to certain private water supply contractors, establishing a private water supply system account within the water quality protection fund, and appropriating moneys in the account.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Houser, Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Holveck, Kettering, Kibbie, Wieck, and Zieman. Nays, none. Absent, 3: Drake, Lundby and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE FILE 238 \(SSB 1088\)](#), a bill for an act providing that revenues deposited in the state conservation fund are temporarily exempt from reversion and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Houser, Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Holveck, Kettering, Kibbie, Wieck, and Zieman. Nays, none. Absent, 3: Drake, Lundby and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: [SENATE RESOLUTION 19](#), a resolution honoring the City of Marshalltown on its sesquicentennial year.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, Ragan, and Sievers. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

[S-3023](#)

[S.F. 134](#)

Jeff Angelo